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**Public Safety Data Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ryan D. Wilcox**

Senate Sponsor:

2

**LONG TITLE**

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**General Description:**

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This bill amends provisions related to public safety data.

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**Highlighted Provisions:**

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This bill:

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▶ removes a report required to be submitted by the Bureau of Criminal Identification to the Law Enforcement and Criminal Justice Interim Committee regarding attempted weapons purchases by individuals who are restricted from purchasing, possessing, or transferring a firearm as a result of a conviction for an offense involving domestic violence and requires the report to be submitted to the State Commission on Criminal and Juvenile Justice (commission) to be included in the public safety portal;

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▶ removes a report required to be submitted by the Division of Juvenile Justice and Youth Services to the Law Enforcement and Criminal Justice Interim Committee regarding data of sexual assaults in detention and secure care facilities and requires the report to be submitted to the commission to be included in the public safety portal;

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▶ removes a report required to be submitted by the Department of Corrections to the Law Enforcement and Criminal Justice Interim Committee regarding data of sexual assaults in correctional facilities and requires the report to be submitted to the commission to be included in the public safety portal;

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▶ requires institutions of higher education to provide data of crime in student housing to the commission to be included in the public safety portal;

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▶ requires the multi-agency strike force to combat violent and other major felony crimes to submit the strike force's annual report to the commission to be included in the public safety portal;

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▶ requires the commission to include a report from the Board of Pardons and Parole regarding metrics of offenders in the public safety portal;

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▶ requires the Prosecutor Conduct Commission to provide the Prosecutor Conduct Commission's annual report on prosecutorial complaints to the commission to be

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31 included in the public safety portal;

32 ▶ requires the Department of Public Safety and the Bureau of Forensic Services to provide

33 an annual report on sexual assault kits to the commission to be included in the public

34 safety portal;

35 ▶ requires the Sentencing Commission to annually provide the master offense list and

36 collateral consequences guide to the commission to be included in the public safety

37 portal;

38 ▶ adds requirements for the commission regarding the public safety portal;

39 ▶ clarifies that the commission is not required to provide records in response to a record

40 request under the Government Records Access and Management Act for records

41 received by the commission for the public safety portal;

42 ▶ requires entities involved in criminal justice to provide anonymized criminal justice

43 information to researchers in certain circumstances; and

44 ▶ makes technical conforming changes.

45 **Money Appropriated in this Bill:**

46 None

47 **Other Special Clauses:**

48 None

49 **Utah Code Sections Affected:**

50 **AMENDS:**

51 **53-5a-602**, as renumbered and amended by Laws of Utah 2025, Chapter 208

52 **53-10-910**, as last amended by Laws of Utah 2025, Chapter 271

53 **53H-7-603**, as renumbered and amended by Laws of Utah 2025, First Special Session,  
54 Chapter 8

55 **63A-16-1002**, as last amended by Laws of Utah 2025, First Special Session, Chapter 17

56 **63G-2-201**, as last amended by Laws of Utah 2025, Chapters 299, 476

57 **63M-7-405**, as last amended by Laws of Utah 2024, Chapter 208

58 **63M-7-1106**, as enacted by Laws of Utah 2025, Chapter 360

59 **64-13-47**, as enacted by Laws of Utah 2021, Chapter 44

60 **67-5-22.7**, as last amended by Laws of Utah 2025, Chapter 173

61 **77-27-32**, as last amended by Laws of Utah 2024, Chapter 208

62 **80-5-202**, as last amended by Laws of Utah 2024, Chapter 256

63 **ENACTS:**

64 **63A-16-1301**, Utah Code Annotated 1953

65       **63A-16-1302**, Utah Code Annotated 1953

66       **REPEALS:**

67       **63A-16-101**, as renumbered and amended by Laws of Utah 2021, Chapter 344

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69       *Be it enacted by the Legislature of the state of Utah:*

70       Section 1. Section **53-5a-602** is amended to read:

71       **53-5a-602 . Criminal background check prior to purchase of a firearm -- Fee --**

72       **Exemption for concealed firearm permit holders and law enforcement officers.**

73       (1)(a) To establish personal identification and residence in this state for purposes of this  
74       part, a dealer shall require an individual receiving a firearm to present one photo  
75       identification on a form issued by a governmental agency of the state.

76       (b) A dealer may not accept a driving privilege card issued under Section 53-3-207 as  
77       proof of identification for the purpose of establishing personal identification and  
78       residence in this state as required under this Subsection (1).

79       (2)(a) A criminal history background check is required for the sale of a firearm by a  
80       licensed firearm dealer in the state.

81       (b) Subsection (2)(a) does not apply to the sale of a firearm to a Federal Firearms  
82       Licensee.

83       (3)(a) An individual purchasing a firearm from a dealer shall consent in writing to a  
84       criminal background check, on a form provided by the bureau.

85       (b) The form shall contain the following information:

- 86           (i) the dealer identification number;
- 87           (ii) the name and address of the individual receiving the firearm;
- 88           (iii) the date of birth, height, weight, eye color, and hair color of the individual  
89           receiving the firearm; and
- 90           (iv) the social security number or any other identification number of the individual  
91           receiving the firearm.

92       (4)(a) The dealer shall send the information required by Subsection (3) to the bureau  
93       immediately upon its receipt by the dealer.

94       (b) A dealer may not sell or transfer a firearm to an individual until the dealer has  
95       provided the bureau with the information in Subsection (3) and has received approval  
96       from the bureau under Subsection (6).

97       (5) The dealer shall make a request for criminal history background information by  
98       telephone or other electronic means to the bureau and shall receive approval or denial of

99 the inquiry by telephone or other electronic means.

100 (6) When the dealer calls for or requests a criminal history background check, the bureau  
101 shall:

102 (a) review the criminal history files, including juvenile court records, and the temporary  
103 restricted file created under Section 53-5a-504, to determine if the individual is  
104 prohibited from purchasing, possessing, or transferring a firearm by state or federal  
105 law;

106 (b) inform the dealer that:

107 (i) the records indicate the individual is prohibited; or

108 (ii) the individual is approved for purchasing, possessing, or transferring a firearm;

109 (c) provide the dealer with a unique transaction number for that inquiry; and

110 (d) provide a response to the requesting dealer during the call for a criminal background  
111 check, or by return call, or other electronic means, without delay, except in case of  
112 electronic failure or other circumstances beyond the control of the bureau, the bureau  
113 shall advise the dealer of the reason for the delay and give the dealer an estimate of  
114 the length of the delay.

115 (7)(a) The bureau may not maintain any records of the criminal history background  
116 check longer than 20 days from the date of the dealer's request, if the bureau  
117 determines that the individual receiving the firearm is not prohibited from  
118 purchasing, possessing, or transferring the firearm under state or federal law.

119 (b) However, the bureau shall maintain a log of requests containing the dealer's federal  
120 firearms number, the transaction number, and the transaction date for a period of 12  
121 months.

122 (8)(a) If the criminal history background check discloses information indicating that the  
123 individual attempting to purchase the firearm is prohibited from purchasing,  
124 possessing, or transferring a firearm, the bureau shall:

125 (i) within 24 hours after determining that the purchaser is prohibited from purchasing,  
126 possessing, or transferring a firearm, notify the law enforcement agency in the  
127 jurisdiction where the dealer is located; and

128 (ii) inform the law enforcement agency in the jurisdiction where the individual  
129 resides.

130 (b) Subsection (8)(a) does not apply to an individual prohibited from purchasing a  
131 firearm solely due to placement on the temporary restricted list under Section  
132 53-5a-504.

133 (c) A law enforcement agency that receives information from the bureau under  
134 Subsection (8)(a) shall provide a report before August 1 of each year to the bureau  
135 that includes:  
136 (i) based on the information the bureau provides to the law enforcement agency under  
137 Subsection (8)(a), the number of cases that involve an individual who is  
138 prohibited from purchasing, possessing, or transferring a firearm as a result of a  
139 conviction for an offense involving domestic violence; and  
140 (ii) of the cases described in Subsection (8)(c)(i):  
141 (A) the number of cases the law enforcement agency investigates; and  
142 (B) the number of cases the law enforcement agency investigates that result in a  
143 criminal charge.

144 (d) The bureau shall:  
145 (i) compile the information from the reports described in Subsection (8)(c);  
146 (ii) omit or redact any identifying information in the compilation; and  
147 (iii) submit the compilation to the ~~Law Enforcement and Criminal Justice Interim~~  
148 ~~Committee~~ State Commission on Criminal and Juvenile Justice created in Section  
149 63M-7-201 before November 1 of each year.

150 (9) If an individual is denied the right to purchase a firearm under this section, the  
151 individual may review the individual's criminal history information and may challenge  
152 or amend the information as provided in Section 53-10-108.

153 (10) The bureau shall make rules in accordance with Title 63G, Chapter 3, Utah  
154 Administrative Rulemaking Act, to ensure the identity, confidentiality, and security of  
155 all records provided by the bureau under this part are in conformance with the  
156 requirements of the Brady Handgun Violence Prevention Act, Pub. L. No. 103-159, 107  
157 Stat. 1536 (1993).

158 (11)(a) A dealer shall collect a criminal history background check fee for the sale of a  
159 firearm under this section.  
160 (b) The fee described under Subsection (11)(a) remains in effect until changed by the  
161 bureau through the process described in Section 63J-1-504.  
162 (c)(i) The dealer shall forward at one time all fees collected for criminal history  
163 background checks performed during the month to the bureau by the last day of  
164 the month following the sale of a firearm.  
165 (ii) The bureau shall deposit the fees in the General Fund as dedicated credits to  
166 cover the cost of administering and conducting the criminal history background

167 check program.

168 (12)(a) An individual with a concealed firearm permit issued under Section 53-5a-303 or  
169 a provisional concealed firearm permit issued under Section 53-5a-304 is exempt  
170 from the background check and corresponding fee required in this section for the  
171 purchase of a firearm if:

172 (i) the individual presents the individual's concealed firearm permit to the dealer prior  
173 to purchase of the firearm; and  
174 (ii) the dealer verifies with the bureau that the individual's concealed firearm permit  
175 is valid.

176 (b) An individual with a temporary permit to carry a concealed firearm issued under  
177 Section 53-5a-305 is not exempt from a background check and the corresponding fee  
178 required in this section for the purchase of a firearm.

179 (13)(a) A law enforcement officer, as defined in Section 53-13-103, is exempt from the  
180 background check fee required in this section for the purchase of a personal firearm  
181 to be carried while off-duty if the law enforcement officer verifies current  
182 employment by providing a letter of good standing from the officer's commanding  
183 officer and current law enforcement photo identification.

184 (b) Subsection (13)(a) may only be used by a law enforcement officer to purchase a  
185 personal firearm once in a 24-month period.

186 (14) A dealer engaged in the business of selling, leasing, or otherwise transferring a firearm  
187 shall:

188 (a) make the firearm safety brochure described in Subsection 26B-5-211(3) available to  
189 a customer free of charge; and  
190 (b) at the time of purchase, distribute a cable-style gun lock provided to the dealer under  
191 Subsection 26B-5-211(3) to a customer purchasing a shotgun, short barreled shotgun,  
192 short barreled rifle, rifle, or another firearm that federal law does not require be  
193 accompanied by a gun lock at the time of purchase.

194 Section 2. Section **53-10-910** is amended to read:

195 **53-10-910 . Reporting requirement.**

196 The Department of Public Safety and the Utah Bureau of Forensic Services shall report  
197 by July 31 of each year to the State Commission on Criminal and Juvenile Justice created in  
198 Section 63M-7-201, the Law Enforcement and Criminal Justice Interim Committee, and the  
199 Criminal Justice Appropriations Subcommittee regarding:

200 (1) the timelines set for testing all sexual assault kits submitted to the Utah Bureau of

Forensic Services as provided in Subsection 53-10-903(2);  
the goals established in Section 53-10-909;  
the status of meeting those goals;  
the number of sexual assault kits that are sent to the Utah Bureau of Forensic Services  
for testing;  
the number of restricted kits held by law enforcement;  
the number of sexual assault kits that are not processed in accordance with the timelines  
established in this part; and  
future appropriations requests that will ensure that all DNA cases can be processed  
according to the timelines established by this part.

Section 3. Section **53H-7-603** is amended to read:

## **53H-7-603 . Student housing crime reporting.**

(1) As used in this section:

(a) "Campus law enforcement" means an institution's police department.

(b) "Crime statistics" means the number of each of the crimes in 34 C.F.R. Sec.

668.46(c)(1) that are reported to a local police agency or campus law enforcement, listed by type of crime.

(c)(i) "Institution noncampus housing facility" means a building or property that:

(A) is used for housing students;

(B) is not part of the institution's campus; and

(C) the institution owns, manages, controls, or leases;

(ii) "Institution noncampus housing facility" includes real property that is adjacent to, and is used in direct support of, the building or property described in Subsection (1)(c)(i).

(d) "Local law enforcement agency" means a state or local law enforcement agency other than campus law enforcement.

(e)(i) "On-campus housing facility" means a building or property that is:

(A) used for housing students; and

(B) part of the institution's campus.

(ii) "On-campus housing facility" includes real property that is:

(A) adjacent to the on-campus housing facility; and

(B) used in direct support of the on-campus housing facility.

(f) "Student housing" means:

(i) an institution noncampus housing facility;

- (ii) an on-campus housing facility; or
- (iii) a student organization noncampus housing facility.
- (g) "Student organization" means the same as that term is defined in Section 53H-7-101.
- (h) "Student organization noncampus housing facility" means a building or property that:
  - (i) is used for housing students;
  - (ii) is not part of the institution's campus; and
  - (iii)(A) a student organization owns, manages, controls, or leases; or
  - (B) is real property that is adjacent to the student organization noncampus housing facility and is used in direct support of the noncampus housing facility.

(2) An institution with the types of housing facilities described in this Subsection (2) shall:

- (a) create a report of crime statistics aggregated by:
  - (i) on-campus housing facility, identified and listed individually using the institution's system for inventorying institution facilities;
  - (ii) institution noncampus housing facility, identified and listed individually using the institution's system for inventorying institution facilities; and
  - (iii) student organization noncampus housing facilities, identified and listed individually using the institution's system for identifying student organization noncampus housing facilities;[~~and~~]
- (b) report annually to the Education Interim Committee and the Law Enforcement and Criminal Justice Interim Committee, at or before the committee's November meetings, on crime statistics aggregated by housing facility as described in Subsection(2)(a)[.] ; and
- (c) on or before November 1 of each year, provide the crime statistics aggregated by housing facility as described in Subsection (2)(a) to the State Commission on Criminal and Juvenile Justice created in Section 63M-7-201.

(3) An institution that does not have the types of housing described in Subsection (2) shall report the crime statistics as required by 20 U.S.C. Section 1092(f), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, to the entities specified in Subsection (2).

(4) Upon request from an institution, a local law enforcement agency shall provide to the institution crime statistics for each student housing facility over which the local law enforcement agency has jurisdiction.

(5) Except as provided in Section 53H-7-503, when campus law enforcement receives a complaint or report of a crime that campus law enforcement reasonably determines

269 occurred outside of campus law enforcement's jurisdiction, campus law enforcement  
270 shall share any record of the complaint or report with the local law enforcement agency  
271 with jurisdiction.

272 Section 4. Section **63A-16-1002** is amended to read:

273 **CHAPTER 16. Governance of Technology**

274 **63A-16-1002 . Public safety portal.**

275 (1) The commission shall oversee the creation and management of a public safety portal for  
276 information and data required to be reported to the commission and accessible to all  
277 criminal justice agencies in the state.

278 (2) The division shall assist with the development and management of the public safety  
279 portal.

280 (3) The division, in collaboration with the commission, shall create:

281 (a) master standards and formats for information submitted to the public safety portal;

282 (b) a gateway, bridge, website, or other method for reporting entities to provide the  
283 information;

284 (c) a master data management index or system to assist in the retrieval of information  
285 from the public safety portal;

286 (d) a protocol for accessing information in the public safety portal that complies with  
287 state privacy regulations;[-and]

288 (e) a protocol for real-time audit capability of all data accessed from the public safety  
289 portal by participating data source, data use entities, and regulators[-] ;

290 (f) a protocol for de-identifying the data described in Subsection (4) for public use;

291 (g) a searchable website available to the public that displays the de-identified data as  
292 described in Subsection (3)(f); and

293 (h) subject to the restrictions in this section, a policy concerning the use and  
294 dissemination of data obtained under this section.

295 (4) The public safety portal shall be the repository for the statutorily required data,  
296 information, or reports described in:

297 (a) Section 13-53-111, Recidivism reporting requirements;

298 (b) Section 17-72-408, County jail reporting requirements;

299 (c) Section 17E-2-201, Criminal Justice Coordinating Councils reporting;

300 (d) Section 26B-1-427, Alcohol Abuse Tracking Committee;

301 (e) Section 41-6a-511, Courts to collect and maintain data;

302 (f) Section 53-5a-602, regarding data of attempted weapons purchases by restricted

303                   persons;

304       [(f)] (g) Section 53-10-118, [Regarding] regarding driving under the influence data;

305       (h) Section 53-10-910, regarding sexual assault kits;

306       [(g)] (i) Section 53-25-301, Reporting requirements for reverse-location warrants;

307       [(h)] (j) Section 53-25-202, Sexual assault offense reporting requirements for law

308                    enforcement agencies;

309       [(i) Section 53E-3-516, School disciplinary and law enforcement action report;] ]

310       [(j)] (k) Section 53-25-501, Reporting requirements for seized firearms;

311       [(k)] (l) Section 53-25-502, Law enforcement agency reporting requirements for certain

312                    firearm data;

313       (m) Section 53E-3-516, School disciplinary and law enforcement action report;

314       (n) Section 53H-7-603, Student housing crime reporting;

315       [(l)] (o) Section 63M-7-214, Law enforcement agency grant reporting;

316       [(m)] (p) Section 63M-7-216, Prosecutorial data collection;

317       [(n)] (q) Section 63M-7-216.1, Prosecutorial data collection regarding certain

318                    prosecutions, dismissals, and declinations to prosecute;

319       [(o)] (r) Section 63M-7-220, Domestic violence data collection;

320       (s) Section 63M-7-405, regarding the master offense list and collateral consequences

321                   guide;

322       (t) Section 63M-7-1106, regarding annual reporting from the Prosecutor Conduct

323                   Commission;

324       (u) Section 64-13-47, regarding data of sexual assaults;

325       [(p)] (v) Section 64-14-204, Supervision of sentenced offenders placed in community;

326       [(q)] (w) Section 64-13-25, Standards for programs;

327       [(r)] (x) Section 64-13-45, Department reporting requirements;

328       [(s)] (y) Section 64-13e-104, County correctional facility reimbursement program for

329                    state probationary inmates and state parole inmates;

330       (z) Section 67-5-22.7, regarding data from the multi-agency strike force to combat

331                   violent and other major felony crimes;

332       [(t)] (aa) Section 77-7-8.5, Use of tactical groups;

333       [(u)] (bb) Section 77-11b-404, Forfeiture reporting requirements;

334       [(v)] (cc) Section 77-20-103, Release data requirements;

335       [(w)] (dd) Section 77-22-2.5, Court orders for criminal investigations;

336       (ee) Section 77-27-32, regarding metrics from the Board of Pardons and Parole;

337 [~~(x)~~] (ff) Section 78A-2-109.5, Court data collection on criminal cases;  
338 (gg) Section 80-5-202, regarding data of sexual assaults;  
339 [~~(y)~~] (hh) Section 80-6-104, Data collection on offenses committed by minors; and  
340 [~~(z)~~] (ii) any other statutes that require the collection of specific data and the reporting of  
341 that data to the commission.

342 [~~(5) Before October 1, 2025, the commission shall report all data collected to the Law~~  
343 ~~Enforcement and Criminal Justice Interim Committee.]~~

344 [~~(6)~~] (5) The commission may:

345 (a) enter into contracts with private or governmental entities to assist entities in  
346 complying with the data reporting requirements of Subsection (4); and  
347 (b) make, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
348 Act, rules to administer this section, including establishing requirements and  
349 procedures for collecting the data, information, or reports described in Subsection (4).

350 Section 5. Section **63A-16-1301** is enacted to read:

### 351 **Part 13. Researcher Access to Criminal Justice Information**

#### 352 **63A-16-1301 . Definitions.**

353 As used in this part:

354 (1) "Covered entity" means:

355 (a) the Board of Pardons and Parole;  
356 (b) a court;  
357 (c) a law enforcement agency;  
358 (d) a prosecution agency;  
359 (e) a county jail;  
360 (f) the Department of Corrections; or  
361 (g) another private or public entity that performs an activity directly relating to:  
362 (i) the detection or investigation of crime;  
363 (ii) the apprehension, pretrial release, post-trial release, prosecution, correctional  
364 supervision, rehabilitation, evaluation, or treatment of individuals accused or  
365 convicted of committing criminal offenses;  
366 (iii) criminal identification activities; or  
367 (iv) the collection, storage, or dissemination of information regarding arrests or other  
368 criminal records.

369 (2)(a) "Criminal justice information" means anonymized data or records collected,  
370 created, received, maintained, or disseminated by a covered entity relating to:

371 (i) a law enforcement stop, search, or seizure;  
372 (ii) an issued warrant;  
373 (iii) an arrest or citation;  
374 (iv) an individual's participation in a diversion program, specialty court, or other  
375 alternative resolution program;  
376 (v) a criminal charge, disposition, or sentence;  
377 (vi) pretrial or post-trial release from custody, including any term or condition of  
378 release;  
379 (vii) a grant, order, change in the terms of, or termination of, pretrial supervised  
380 release, probation, parole, or participation in a correctional or rehabilitative  
381 program; or  
382 (viii) formal discipline, reclassification, or relocation of an individual who is  
383 incarcerated.

384 (b) "Criminal justice information" includes anonymized demographic information  
385 related to the information described in Subsection (2)(a).

386 (3) "Criminal justice researcher" means a person that conducts research and statistical  
387 analysis regarding criminal justice information.

388 (4) "Institutional review board" means a board, committee, or other group that:

389 (a) reviews, approves initiation of, and conducts periodic review of research; and  
390 (b) has received a national accreditation for research in reviewing, approving, and  
391 conducting periodic review of research or is part of an accredited institution of higher  
392 education.

393 (5) "Law enforcement agency" means an entity or division:

394 (a)(i) of the state, or a political subdivision of the state;  
395 (ii) of a state institution of higher education; or  
396 (iii) of a private institution of higher education, if the entity or division is certified by  
397 the commissioner of public safety under Title 53, Chapter 19, Certification of  
398 Private Law Enforcement Agency; and

399 (b) that exists primarily to prevent and detect crime and enforce criminal laws, statutes,  
400 and ordinances.

401 (6) "Prosecution agency" means a city attorney, county attorney, district attorney, the  
402 attorney general, or other entity that undertakes the prosecution of criminal offenses.

403 (7)(a) "Record" means any information kept, held, filed, produced, or reproduced in  
404 physical or digital form.

405 (b) "Record" includes a report, statement, examination, memoranda, opinion, folder, file,  
406 book, manual, pamphlet, papers, design, drawing, map, photo, letter, microfilm,  
407 computer tape or disc, rule, regulation, or code.

408 Section 6. Section **63A-16-1302** is enacted to read:

409 **63A-16-1302 . Criminal justice information sharing with researcher.**

410 (1) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management  
411 Act, if a criminal justice researcher submits a written request to a covered entity for  
412 criminal justice information that complies with the requirements described in Subsection  
413 (3), the covered entity shall provide the requested criminal justice information to the  
414 criminal justice researcher.

415 (2) A release of criminal justice information under this section is not considered a release of  
416 data, records, or information to the public under Title 63G, Chapter 2, Government  
417 Records Access and Management Act, and does not waive the right of the covered entity  
418 to assert that data, records, or information are private or controlled records under Title  
419 63G, Chapter 2, Government Records Access and Management Act.

420 (3) Before a criminal justice researcher may gain access to criminal justice information  
421 under this section, the criminal justice researcher shall:

422 (a) agree that any personally identifiable information or confidential information  
423 inadvertently provided by a covered entity may not be used for any purpose; and

424 (b) certify that:

425 (i) the criminal justice researcher's institutional review board has approved the  
426 research or project that is the basis of the request;

427 (ii) the criminal justice researcher has security protocols and systems in place to  
428 prevent unauthorized access to criminal justice information in the criminal justice  
429 researcher's possession or criminal justice information to which the criminal  
430 justice researcher has access; and

431 (iii) the security protocols and systems described in Subsection (3)(b)(ii) have been  
432 approved by the criminal justice researcher's institutional review board.

433 (4) The attorney general shall issue guidance for covered entities regarding compliance with  
434 this part, including a process for:

435 (a) identifying criminal justice researchers who meet the requirements of this part; and

436 (b) sharing criminal justice information with criminal justice researchers.

437 (5) A covered entity may assess reasonable fees, not to exceed actual costs, for the search,  
438 retrieval, and sharing of criminal justice information requested under this part.

439       Section 7. Section **63G-2-201** is amended to read:

440       **63G-2-201 . Provisions relating to records -- Public records -- Private, controlled,**  
441       **protected, and other restricted records -- Disclosure and nondisclosure of records --**  
442       **Certified copy of record -- Limits on obligation to respond to record request.**

443       (1)(a) Except as provided in Subsection (1)(b), a person has the right to inspect a public  
444       record free of charge, and the right to take a copy of a public record during normal  
445       working hours, subject to Sections 63G-2-203 and 63G-2-204.

446       (b) A right under Subsection (1)(a) does not apply with respect to a record:

- 447           (i) a copy of which the governmental entity has already provided to the person;
- 448           (ii) that is the subject of a records request that the governmental entity is not required  
449           to fill under Subsection (7)(a)(v); or
- 450           (iii)(A) that is accessible only by a computer or other electronic device owned or  
451           controlled by the governmental entity;
- 452           (B) that is part of an electronic file that also contains a record that is private,  
453           controlled, or protected; and
- 454           (C) that the governmental entity cannot readily segregate from the part of the  
455           electronic file that contains a private, controlled, or protected record.

456       (2) A record is public unless otherwise expressly provided by statute.

457       (3) The following records are not public:

- 458           (a) a record that is private, controlled, or protected under Sections 63G-2-302, 63G-2-303,  
459           63G-2-304, and 63G-2-305; and
- 460           (b) a record to which access is restricted pursuant to court rule, another state statute,  
461           federal statute, or federal regulation, including records for which access is governed  
462           or restricted as a condition of participation in a state or federal program or for  
463           receiving state or federal funds.

464       (4) Only a record specified in Section 63G-2-302, 63G-2-303, 63G-2-304, or 63G-2-305  
465       may be classified private, controlled, or protected.

466       (5)(a) A governmental entity may not disclose a record that is private, controlled, or  
467       protected to any person except as provided in Subsection (5)(b), Subsection (5)(c),  
468       Section 63G-2-202, 63G-2-206, or 63G-2-303.

469       (b) A governmental entity may disclose a record that is private under Subsection  
470       63G-2-302(2) or protected under Section 63G-2-305 to persons other than those  
471       specified in Section 63G-2-202 or 63G-2-206 if the head of a governmental entity, or  
472       a designee, determines that:

473 (i) there is no interest in restricting access to the record; or

474 (ii) the interests favoring access are greater than or equal to the interest favoring

475 restriction of access.

476 (c) In addition to the disclosure under Subsection (5)(b), a governmental entity may

477 disclose a record that is protected under Subsection 63G-2-305(51) if:

478 (i) the head of the governmental entity, or a designee, determines that the disclosure:

479 (A) is mutually beneficial to:

480 (I) the subject of the record;

481 (II) the governmental entity; and

482 (III) the public; and

483 (B) serves a public purpose related to:

484 (I) public safety; or

485 (II) consumer protection; and

486 (ii) the person who receives the record from the governmental entity agrees not to use

487 or allow the use of the record for advertising or solicitation purposes.

488 (6) A governmental entity shall provide a person with a certified copy of a record if:

489 (a) the person requesting the record has a right to inspect it;

490 (b) the person identifies the record with reasonable specificity; and

491 (c) the person pays the lawful fees.

492 (7)(a) In response to a request, a governmental entity is not required to:

493 (i) create a record;

494 (ii) compile, format, manipulate, package, summarize, or tailor information;

495 (iii) provide a record in a particular format, medium, or program not currently

496 maintained by the governmental entity;

497 (iv) fulfill a person's records request if the request unreasonably duplicates prior

498 records requests from that person;

499 (v) fill a person's records request if:

500 (A) the record requested is:

501 (I) publicly accessible online; or

502 (II) included in a public publication or product produced by the governmental

503 entity receiving the request; and

504 (B) the governmental entity:

505 (I) specifies to the person requesting the record where the record is accessible

506 online; or

(II) provides the person requesting the record with the public publication or product and specifies where the record can be found in the public publication or product; or

(vi) fulfill a person's records request if:

(A) the person has been determined under Section 63G-2-209 to be a vexatious requester;

(B) the order of the director of the Government Records Office determining the person to be a vexatious requester provides that the governmental entity is not required to fulfill a request from the person for a period of time; and

(C) the period of time described in Subsection (7)(a)(vi)(B) has not expired.

(8)(a) Although not required to do so, a governmental entity may, upon request from the person who submitted the records request, compile, format, manipulate, package, summarize, or tailor information or provide a record in a format, medium, or program not currently maintained by the governmental entity.

(b) In determining whether to fulfill a request described in Subsection (8)(a), a governmental entity may consider whether the governmental entity is able to fulfill the request without unreasonably interfering with the governmental entity's duties and responsibilities.

(c) A governmental entity may require a person who makes a request under Subsection (8)(a) to pay the governmental entity, in accordance with Section 63G-2-203, for providing the information or record as requested.

(9)(a) Notwithstanding any other provision of this chapter, and subject to Subsection (9)(b), a governmental entity is not required to respond to, or provide a record in response to, a record request if the request is submitted by or in behalf of an individual who is on parole or confined in a jail or other correctional facility following the individual's conviction.

(b) Subsection (9)(a) does not apply to:

- (i) the first five record requests submitted to the governmental entity by or in behalf of an individual described in Subsection (9)(a) during any calendar year requesting only a record that contains a specific reference to the individual; or
- (ii) a record request that is submitted by an attorney of an individual described in Subsection (9)(a).

(10)(a) A governmental entity may allow a person requesting more than 50 pages of

541 records to copy the records if:

542 (i) the records are contained in files that do not contain records that are exempt from  
543 disclosure, or the records may be segregated to remove private, protected, or  
544 controlled information from disclosure; and

545 (ii) the governmental entity provides reasonable safeguards to protect the public from  
546 the potential for loss of a public record.

547 (b) If the requirements of Subsection (10)(a) are met, the governmental entity may:

548 (i) provide the requester with the facilities for copying the requested records and  
549 require that the requester make the copies; or

550 (ii) allow the requester to provide the requester's own copying facilities and personnel  
551 to make the copies at the governmental entity's offices and waive the fees for  
552 copying the records.

553 (11)(a) A governmental entity that owns an intellectual property right and that offers the  
554 intellectual property right for sale or license may control by ordinance or policy the  
555 duplication and distribution of the material based on terms the governmental entity  
556 considers to be in the public interest.

557 (b) Nothing in this chapter shall be construed to limit or impair the rights or protections  
558 granted to the governmental entity under federal copyright or patent law as a result of  
559 its ownership of the intellectual property right.

560 (12) A governmental entity may not use the physical form, electronic or otherwise, in  
561 which a record is stored to deny, or unreasonably hinder the rights of a person to inspect  
562 and receive a copy of a record under this chapter.

563 (13) Subject to the requirements of Subsection (7), a governmental entity shall provide  
564 access to an electronic copy of a record in lieu of providing access to its paper  
565 equivalent if:

566 (a) the person making the request requests or states a preference for an electronic copy;  
567 (b) the governmental entity currently maintains the record in an electronic format that is  
568 reproducible and may be provided without reformatting or conversion; and  
569 (c) the electronic copy of the record:

570 (i) does not disclose other records that are exempt from disclosure; or  
571 (ii) may be segregated to protect private, protected, or controlled information from  
572 disclosure without the undue expenditure of public resources or funds.

573 (14) In determining whether a record is properly classified as private under Subsection  
574 63G-2-302(2)(d), the governmental entity, the director of the Government Records

575 Office, local appeals board, or court shall consider and weigh:

576 (a) any personal privacy interests, including those in images, that would be affected by  
577 disclosure of the records in question; and  
578 (b) any public interests served by disclosure.

579 (15) Notwithstanding any other provision of this chapter, the State Commission on

580 Criminal and Juvenile Justice created in Section 63M-7-201:

581 (a) is not required to provide a record in response to a record request that requests  
582 records received by the State Commission on Criminal and Juvenile Justice under  
583 Section 63A-16-1002; and  
584 (b) shall inform the person making a record request for a record described in Subsection  
585 (15)(a) of the governmental entity from which the State Commission on Criminal and  
586 Juvenile Justice received the record.

587 Section 8. Section **63M-7-405** is amended to read:

588 **63M-7-405 . Master offense list -- Collateral consequences guide.**

589 (1)(a) The sentencing commission shall create a master offense list.

590 (b) On or before June 30 of each year, the sentencing commission shall:

591 (i) after the last day of the general legislative session, update the master offense list;[  
592 and]  
593 (ii) provide the master offense list to the commission; and  
594 [(iii)] (iii) present the updated master offense list to the Law Enforcement and  
595 Criminal Justice Interim Committee.

596 (2)(a) The sentencing commission shall:

597 (i) identify any provision of state law, including the Utah Constitution, and any  
598 administrative rule that imposes a collateral consequence;  
599 (ii) prepare and compile a guide that contains all the provisions identified in  
600 Subsection (2)(a)(i); and  
601 (iii) update the guide described in Subsection (2)(a)(ii) annually.

602 (b) The sentencing commission shall state in the guide described in Subsection (2)(a)  
603 that:

604 (i) the guide has not been enacted into law;  
605 (ii) the guide does not have the force of law;  
606 (iii) the guide is for informational purposes only;  
607 (iv) an error or omission in the guide, or in any reference in the guide:  
608 (A) has no effect on a plea, an adjudication, a conviction, a sentence, or a

609 disposition; and

610 (B) does not prevent a collateral consequence from being imposed;

611 (v) any laws or regulations for a county, a municipality, another state, or the United  
612 States, imposing a collateral consequence are not included in the guide; and

613 (vi) the guide does not include any provision of state law or any administrative rule  
614 imposing a collateral consequence that is enacted on or after March 31 of each  
615 year.

616 (c) The sentencing commission shall:

617 (i) place the statements described in Subsection (2)(b) in a prominent place at the  
618 beginning of the guide; and

619 (ii) make the guide available to the public on the sentencing commission's website.

620 (d) The sentencing commission shall:

621 (i) present the updated guide described in Subsection (2)(a)(iii) annually to the Law  
622 Enforcement and Criminal Justice Interim Committee;

623 (ii) provide the updated guide described in Subsection (2)(a)(iii) annually to the  
624 commission; and

625 [(iii)] (iii) identify and recommend legislation on collateral consequences to the Law  
626 Enforcement and Criminal Justice Interim Committee.

627 Section 9. Section **63M-7-1106** is amended to read:

628 **63M-7-1106 . Annual reporting requirement to Legislature.**

629 (1) Before November 1 of each year, the commission shall report to the State Commission  
630 on Criminal and Juvenile Justice created in Section 63M-7-201, the Law Enforcement  
631 and Criminal Justice Interim Committee, and the Judiciary Interim Committee on:

632 (a) the number of complaints received;

633 (b) the general nature of the complaints;

634 (c) the number of complaints dismissed without an investigation;

635 (d) the number of complaints investigated;

636 (e) the general findings and outcomes of investigations; and

637 (f) the name of any prosecuting agency that refused, without reasonable cause, to  
638 cooperate in an investigation by the commission.

639 (2) The commission may not include any personal identifying information regarding a  
640 prosecuting attorney in a report described in Subsection (1).

641 Section 10. Section **64-13-47** is amended to read:

642 **64-13-47 . Prison Sexual Assault Prevention Program.**

643 (1) The department shall, in accordance with Title 63G, Chapter 3, Utah Administrative  
644 Rulemaking Act, make rules establishing policies and procedures regarding sexual  
645 assaults that occur in correctional facilities.

646 (2) The rules described in Subsection (1) shall:

647 (a) require education and training, including:

648 (i) providing to inmates, at intake and periodically, department-approved,  
649 easy-to-understand information developed by the department on sexual assault  
650 prevention, treatment, reporting, and counseling in consultation with community  
651 groups with expertise in sexual assault prevention, treatment, reporting, and  
652 counseling; and

653 (ii) providing sexual-assault-specific training to department mental health  
654 professionals and all employees who have direct contact with inmates regarding  
655 treatment and methods of prevention and investigation;

656 (b) require reporting of sexual assault, including:

657 (i) ensuring the confidentiality of inmate sexual assault complaints and the protection  
658 of inmates who make complaints of sexual assault; and

659 (ii) prohibiting retaliation and disincentives for reporting sexual assault;

660 (c) require safety and care for victims, including:

661 (i) providing, in situations in which there is reason to believe that a sexual assault has  
662 occurred, reasonable and appropriate measures to ensure the victim's safety by  
663 separating the victim from the assailant, if known;

664 (ii) providing acute trauma care for sexual assault victims, including treatment of  
665 injuries, HIV prophylaxis measures, and testing for sexually transmitted infections;

666 (iii) providing confidential mental health counseling for victims of sexual assault,  
667 including access to outside community groups or victim advocates that have  
668 expertise in sexual assault counseling, and enable confidential communication  
669 between inmates and those organizations and advocates; and

670 (iv) monitoring victims of sexual assault for suicidal impulses, post-traumatic stress  
671 disorder, depression, and other mental health consequences resulting from the  
672 sexual assault;

673 (d) require investigations and staff discipline, including:

674 (i) requiring all employees to report any knowledge, suspicion, or information  
675 regarding an incident of sexual assault to the executive director or designee, and  
676 require disciplinary action for employees who fail to report as required;

677 (ii) requiring investigations described in Subsection (3);  
678 (iii) requiring corrections investigators to submit all completed sexual assault  
679 allegations to the executive director or the executive director's designee, who must  
680 then submit any substantiated findings that may constitute a crime under state law  
681 to the district attorney with jurisdiction over the facility in which the alleged  
682 sexual assault occurred; and  
683 (iv) requiring employees to be subject to disciplinary sanctions up to and including  
684 termination for violating agency sexual assault policies, with termination the  
685 presumptive disciplinary sanction for employees who have engaged in sexual  
686 assault, consistent with constitutional due process protections and state personnel  
687 laws and rules; and

688 (e) require data collection and reporting, including as provided in Subsection (4).

689 (3)(a) An investigator trained in the investigation of sex crimes shall conduct the  
690 investigation of a sexual assault involving an inmate.

691 (b) The investigation shall include:

692 (i) using a forensic rape kit, if appropriate;  
693 (ii) questioning suspects and witnesses; and  
694 (iii) gathering and preserving relevant evidence.

695 (4) The department shall:

696 (a) collect and report data regarding all allegations of sexual assault from each  
697 correctional facility in accordance with the federal Prison Rape Elimination Act of  
698 2003, Pub. L 108-79, as amended; and

699 (b) annually report the data described in Subsection (4)(a) to the ~~Law Enforcement and~~  
700 ~~Criminal Justice Interim Committee~~ the State Commission on Criminal and Juvenile  
701 Justice created in Section 63M-7-201.

702 Section 11. Section **67-5-22.7** is amended to read:

703 **67-5-22.7 . Multi-agency strike force to combat violent and other major felony**  
704 **crimes associated with illegal immigration and human trafficking -- Fraudulent**  
705 **Documents Identification Unit.**

706 (1) The Office of the Attorney General is authorized to administer and coordinate the  
707 operation of a multi-agency strike force to combat violent and other major felony crimes  
708 committed within the state that are associated with illegal immigration and human  
709 trafficking.  
710 (2) The office shall invite officers of the [U.S.] United States Immigration and Customs

711 Enforcement and state and local law enforcement personnel to participate in this  
712 mutually supportive, multi-agency strike force to more effectively utilize their combined  
713 skills, expertise, and resources.

714 (3) The strike force shall focus its efforts on detecting, investigating, deterring, and  
715 eradicating violent and other major felony criminal activity related to illegal  
716 immigration and human trafficking.

717 (4) In conjunction with the strike force and subject to available funding, the Office of the  
718 Attorney General shall establish a Fraudulent Documents Identification Unit:  
719 (a) for the primary purpose of investigating, apprehending, and prosecuting individuals  
720 or entities that participate in the sale or distribution of fraudulent documents used for  
721 identification purposes;  
722 (b) to specialize in fraudulent identification documents created and prepared for  
723 individuals who are unlawfully residing within the state; and  
724 (c) to administer the Identity Theft Victims Restricted Account created under Subsection  
725 (5).

726 (5)(a) There is created a restricted account in the General Fund known as the "Identity  
727 Theft Victims Restricted Account."  
728 (b) The Identity Theft Victims Restricted Account shall consist of money appropriated  
729 to the Identity Theft Victims Restricted Account by the Legislature.  
730 (c) Subject to appropriations from the Legislature, beginning on the program start date,  
731 as defined in Section 63G-12-102, the Fraudulent Documents Identification Unit may  
732 expend the money in the Identity Theft Victims Restricted Account to pay a claim as  
733 provided in this Subsection (5) to a person who is a victim of identity theft  
734 prosecuted under Section 76-11-215 or 76-6-1102.  
735 (d) To obtain payment from the Identity Theft Victims Restricted Account, a person  
736 shall file a claim with the Fraudulent Documents Identification Unit by no later than  
737 one year after the day on which an individual is convicted, pleads guilty to, pleads no  
738 contest to, pleads guilty in a similar manner to, or resolved by diversion or its  
739 equivalent an offense under Section 76-11-215 or 76-6-1102 for the theft of the  
740 identity of the person filing the claim.  
741 (e) A claim filed under this Subsection (5) shall include evidence satisfactory to the  
742 Fraudulent Documents Identification Unit:  
743 (i) that the person is the victim of identity theft described in Subsection (5)(d); and  
744 (ii) of the actual damages experienced by the person as a result of the identity theft

745 that are not recovered from a public or private source.

746 (f) The Fraudulent Documents Identification Unit shall pay a claim from the Identity  
747 Theft Victims Restricted Account:

748 (i) if the Fraudulent Documents Identification Unit determines that the person has  
749 provided sufficient evidence to meet the requirements of Subsection (5)(e);  
750 (ii) in the order that claims are filed with the Fraudulent Documents Identification  
751 Unit; and  
752 (iii) to the extent that there is money in the Identity Theft Victims Restricted  
753 Account.

754 (g) If there is insufficient money in the Identity Theft Victims Restrict Account when a  
755 claim is filed under this Subsection (5) to pay the claim in full, the Fraudulent  
756 Documents Identification Unit may pay a claim when there is sufficient money in the  
757 account to pay the claim in the order that the claims are filed.

758 (6) The strike force shall make an annual report on [its] the strike force's activities to the  
759 governor[-and] , the State Commission on Criminal and Juvenile Justice created in  
760 Section 63M-7-201, and the [Legislature's]Law Enforcement and Criminal Justice  
761 Interim Committee by December 1, together with any proposed recommendations for  
762 modifications to this section.

763 Section 12. Section **77-27-32** is amended to read:

764 **77-27-32 . Reporting requirements.**

765 (1) The board shall publicly display metrics on the board's website, including:  
766 (a) a measure of recidivism;  
767 (b) a measure of time under board jurisdiction;  
768 (c) a measure of prison releases by category;  
769 (d) a measure of parole revocations;  
770 (e) a measure of alignment of board decisions with the adult sentencing and supervision  
771 length guidelines, as defined in Section 63M-7-401.1; and  
772 (f) a measure of the aggregate reasons for departing from the guidelines described in  
773 Subsection (1)(e).

774 (2) On or before September 30 of each year, the board shall submit to [the commission and]  
775 the Law Enforcement and Criminal Justice Interim Committee a report for the previous  
776 fiscal year that summarizes the metrics in Subsection (1).

777 (3) On or before November 1 of each year, the board shall submit the metrics described in  
778 Subsection (1) to the commission.

779       Section 13. Section **80-5-202** is amended to read:

780       **80-5-202 . Division rulemaking authority -- Reports on sexual assault.**

781       (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
782       division shall make rules to:

783           (a) establish standards for the admission of a minor to detention;

784           (b) describe good behavior for which credit may be earned under Subsection 80-6-704  
785           (5);

786           (c) establish a formula, in consultation with the Office of the Legislative Fiscal Analyst, to  
787       calculate savings from General Fund appropriations under 2017 Laws of Utah,  
788       Chapter 330, resulting from the reduction in out-of-home placements for juvenile offenders  
789       with the division;

790           (d) establish policies and procedures regarding sexual assaults that occur in detention  
791       and secure care facilities; and

792           (e) establish the qualifications and conditions for services provided by the division under  
793       Section 80-6-809.

794       (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
795       division may make rules:

796           (a) that govern the operation of prevention and early intervention programs, youth  
797       service programs, juvenile receiving centers, and other programs described in Section  
798       80-5-401; and

799           (b) that govern the operation of detention and secure care facilities.

800       (3) A rule made by the division under Subsection (1)(a):

801           (a) may not permit secure detention based solely on the existence of multiple status  
802       offenses, misdemeanors, or infractions arising out of a single criminal episode; and

803           (b) shall prioritize use of home detention for a minor who might otherwise be held in  
804       secure detention.

805       (4) The rules described in Subsection (1)(d) shall:

806           (a) require education and training, including:

807               (i) providing to minors detained in secure care and detention facilities, at intake and  
808       periodically, easy-to-understand information, which is developed and approved by  
809       the division, on sexual assault prevention, treatment, reporting, and counseling in  
810       consultation with community groups with expertise in sexual assault prevention,  
811       treatment, reporting, and counseling; and

812               (ii) providing training specific to sexual assault to division mental health

813 professionals and all division employees who have direct contact with minors  
814 regarding treatment and methods of prevention and investigation;

815 (b) require reporting of any incident of sexual assault, including:

816 (i) ensuring the confidentiality of sexual assault reports from minors and the  
817 protection of minors who report sexual assault; and

818 (ii) prohibiting retaliation and disincentives for reporting sexual assault;

819 (c) require safety and care for minors who report sexual assault, including:

820 (i) providing, in situations in which there is reason to believe that a sexual assault has  
821 occurred, reasonable and appropriate measures to ensure the minor's safety by  
822 separating the minor from the minor's assailant, if known;

823 (ii) providing acute trauma care for minors who report sexual assault, including  
824 treatment of injuries, HIV prophylaxis measures, and testing for sexually  
825 transmitted infections;

826 (iii) providing confidential mental health counseling for minors who report sexual  
827 assault, including:

828 (A) access to outside community groups or victim advocates that have expertise in  
829 sexual assault counseling; and

830 (B) enabling confidential communication between minors and community groups  
831 and victim advocates; and

832 (iv) monitoring minors who report sexual assault for suicidal impulses,  
833 post-traumatic stress disorder, depression, and other mental health consequences  
834 resulting from the sexual assault;

835 (d) require staff reporting of sexual assault and staff discipline for failure to report or for  
836 violating sexual assault policies, including:

837 (i) requiring all division employees to report any knowledge, suspicion, or  
838 information regarding an incident of sexual assault to the director or the director's  
839 designee;

840 (ii) requiring disciplinary action for a division employee who fails to report as  
841 required; and

842 (iii) requiring division employees to be subject to disciplinary sanctions up to and  
843 including termination for violating agency sexual assault policies, with  
844 termination the presumptive disciplinary sanction for division employees who  
845 have engaged in sexual assault, consistent with constitutional due process  
846 protections and state personnel laws and rules;

847 (e) require that any report of an incident of sexual assault be referred to the Division of  
848 Child and Family Services or a law enforcement agency with jurisdiction over the  
849 detention or secure care facility in which the alleged sexual assault occurred; and  
850 (f) require data collection and reporting of all incidents of sexual assault from each  
851 detention and secure care facility.

852 (5) The division shall annually report the data described in [Seetion] Subsection (4)(f) to the [  
853 ~~Law Enforcement and Criminal Justice Interim Committee~~] State Commission on  
854 Criminal and Juvenile Justice created in Section 63M-7-201.

855 **Section 14. Repealer.**

856 This bill repeals:

857 Section **63A-16-101, Title.**

858 Section 15. **Effective Date.**

859 This bill takes effect on May 6, 2026.